

**Chapter 21A.50  
ENFORCEMENT**

**Sections:**

- 21A.50.010 Purpose.
- 21A.50.020 Authority and application. [Amended]
- 21A.50.XXX Inspections. [SALT section 5 - New]
- 21A.50.XXX Hazards. [SALT section 5 - New]
- 21A.50.030 Violations defined.
- 21A.50.040 Permit suspension, revocation or modification.
- 21A.50.050 Initiation of revocation or modification proceedings.
- 21A.50.XXX Clearing and grading violations - corrective work required  
[SALT section 122 - KCC 16.82.130 amended and recodified]
- 21A.50.XXX Critical areas violations - corrective work required  
[SAO section 130 - New]
- 21A.50.XXX Critical areas violations - corrective work monitoring requirement  
[SAO section 131 - New]
- 21A.50.XXX Critical areas violations - corrective work plan requirement  
[SAO section 132 - New]

**NOTE:** Sections amended are noted in brackets following the title. “SAO” means proposed amendments to the Sensitive Areas Ordinance (KCC 21A.24) pending at council (Proposed Ordinance 1999-0353). “SALT” means proposed Site Alteration Code pending at council (Proposed Ordinance 2000-0525).

1        SECTION 1. K.C.C. K.C.C. 16.82.130, as amended by this ordinance, should be  
2 recodified as a new section in K.C.C. chapter 21A.50.

3        SECTION 2. Ordinance 10870, Section 630, and K.C.C. 21A.50.020 are each  
4 hereby amended to read as follows:

5        **Authority and application.** The director is authorized to enforce ((the provisions  
6 of)) this ((code)) title, any implementing administrative rules adopted under K.C.C. chapter  
7 2.98((;)) administration, and approval conditions attached to any land use approval, through  
8 revocation or modification of permits, or through the enforcement, penalty and abatement  
9 provisions of K.C.C. Title 23, ((Enforcement)) Code Compliance. (Ord. 10870 § 630,  
10 1993).

11        NEW SECTION. SECTION 3. There is hereby added to K.C.C. chapter 21A.50  
12 a new section to read as follows: [SALT Section 5]

13        **Inspections.** The director is authorized to make such inspections and take such  
14 actions as may be required to enforce this title.

15        NEW SECTION. SECTION 4. There is hereby added to K.C.C. chapter 21A.50  
16 a new section to read as follows: [SALT Section 5]

17        **Hazards.** If the director determines that an existing site, as a result of alterations  
18 regulated under this title has become a hazard to life and limb, endangers property or the  
19 environment, or adversely affects the safety, use or stability of a public way or public  
20 drainage channel, the owner of the property upon which the alterations are located, or other  
21 person or agent in control of the property, upon receipt of notice in writing from the  
22 director, shall within the period specified in the notice restore the site affected by the

alterations or remove or repair the alterations so as to eliminate the hazard and conform with this title.

SECTION 5. Ordinance 1488 (part), as amended, and K.C.C. 16.82.130 are each hereby amended to read as follows: [SALT Section 122]

~~((**Enforcement.** The director of the department of parks, planning and resources is authorized to enforce the provisions of this chapter, the ordinances and resolutions codified in it, and any rules and regulations promulgated thereunder pursuant to the enforcement and penalty provisions of Title 23.))~~

**Clearing and grading violations - corrective work required.** A. If clearing or grading inconsistent with the purposes and requirements of this ~~((chapter))~~ title in effect at the time of the action has occurred on a site, ~~((King County))~~ the department shall not accept any permit application or grant any development permit((s)) or approval((s)) for the site ~~((unless))~~, except any permit or approval necessary for restoration, until the applicant ((adequately)):

1. Completes ((restores)) restoration of the site or the appropriate corrective actions to bring the site into compliance; or

2. Obtains department approval of a permit for the appropriate restoration or corrective action and posts any required financial guarantee.

B. The ~~((director))~~ department shall require appropriate restoration of the site under an approved restoration or corrective work plan ~~((which shall include))~~ that includes a time schedule for compliance ~~((if significant resource damage has or may occur))~~. If restoration has not been completed within the time established by the department, the director shall order restoration using funds from ~~((building and land~~

~~development division))~~ the department's contingency accounts and seek restitution from the property owner through liens or other available legal methods.

C. This section does not limit corrective action requirements or other remedies or penalties applicable to K.C.C. Title 23. (Ord. 9614 § 104, 1990: Ord. 2910 § 4 (part), 1976: Ord. 1488 (part), 1973).

NEW SECTION. SECTION 6. There is hereby added to K.C.C. chapter 21A.50 a new section to read as follows: [SAO Section 130]

**Critical areas violations - corrective work required.** A. A person who alters a critical area or buffer in violation of law shall undertake corrective work in compliance with this chapter and K.C.C. chapter 23.08. Corrective work shall include restoration of the critical area and buffer. Corrective work shall be subject to all permits or approvals required for the type of work undertaken. In addition, the violator shall be subject to all fees associated with investigation of the violation and the need for corrective work.

B. When a wetland or buffer is altered in violation of law, restoration of the wetland and buffer shall comply with the restoration standards in [section 127 of SAO ordinance now section 15 of New Mitigation and Monitoring Chapter].

C. When an aquatic area or buffer is altered in violation of law, restoration of the stream and buffer shall comply with the restoration standards in [section 129 of SAO ordinance now section 11 of New Mitigation and Monitoring Chapter].

D. All corrective work shall be completed within the time specified in the corrective work plan, but in no case later than one year from the date the corrective work plan is approved by the department. The violator shall notify the department when restoration measures are installed and monitoring is commenced.

E. Any failure to satisfy corrective work requirements established by law or condition including, but not limited to, the failure to provide a monitoring report within thirty days after it is due or comply with other provisions of an approved corrective work plan shall constitute a default, and the department may demand payment of any financial guarantees or require other action authorized by K.C.C. Title 27A or other applicable law.

F. Reasonable access to the corrective work site shall be provided to King County for the purpose of inspections during any monitoring period.

NEW SECTION. SECTION 7. There is hereby added to K.C.C. chapter 21A.50 a new section to read as follows: [SAO Section 131]

**Critical areas violations - corrective work monitoring requirement.**  
Corrective work shall be monitored in accordance with the approved corrective work plan. Monitoring may be required for up to five years. Monitoring under the corrective work plan shall comply with the monitoring requirements in [section 4 of the New Mitigation and Monitoring Chapter].

NEW SECTION. SECTION 8. There is hereby added to K.C.C. chapter 21A.50 a new section to read as follows: [SAO Section 132]

**Critical areas violations - corrective work plan requirement.** A. A violator shall submit a proposed corrective work plan to the department for approval. The department may modify the plan and shall approve it only if the department determines that the plan complies with the requirements for mitigation plans in [section 125 of SAO ordinance now section 5 of New Mitigation and Monitoring Chapter].

91           B. All corrective work shall be accomplished according to the approved  
92   corrective work plan, and corrective work shall not be undertaken until after approval of  
93   the plan by the department.

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